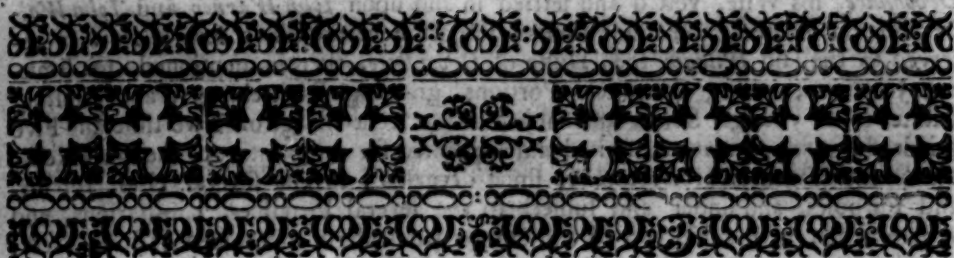


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25 Geo. II. c. 2.

An ACT for Enabling William Duke of Devonshire to make Provision for his younger Sons, out of his Estate in the County of Huntingdon.



Whereas by an Act of Parliament made and passed in the Fourth Year of the Reign of his late Majesty King George the First, intituled, *An Act for settling the Estates of the most Noble William Duke of Devonshire, and William Cavendish, Esquire, commonly called Marquis of Hartington, Son and Heir apparent of the said Duke, on the Marriage of the said Marquis of Hartington with Catherine Hoskins, Spinster, only Child of John Hoskins, Esquire, deceased*, all those the Manors or Lordships of Moynes-Sawtre, Sawtre-Moynes, Sawtre-Ivett, and Sawtre-Monachorum, with the Rights, Members, and Appurtenances thereof, in the County of Huntingdon; and all that the Site of the late-dissolved Monastery of Sawtre, with the Appurtenances; and all that the Grange called Sawtre-Grange, alias Old Grange, with the Appurtenances; and all those the Rectories of Sawtre-Ivett and Sawtre-Moynes, with the Appurtenances; and all that the Advowson of the Vicarage of Sawtre-Ivett; and all other the Lands, Tenements, Rents, Reversions, Services, and Hereditaments whatsoever, of them the said William then Duke of Devonshire, and William Marquis of Hartington, or either of them, situate, lying, or being, within the Manors, Lordships, Parishes, Hamlets, or Fields, of Moynes-Sawtre, Sawtre-Ivett, Sawtre-Beames, Sawtre-Monachorum, Sawtre-Moynes, Cunington, and Copping-Ford, or any or either of them, or elsewhere in the said County of Huntingdon; together with divers other Manors, Lands, Tenements, and Hereditaments, in the Counties of Derby, York, Nottingham, Stafford, and Lancaster,

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of great yearly Value; were, from and after the Solemnization of the said Marriage then intended (and afterwards had) between the said *William* then Marquis of *Hartington*, now Duke of *Devonshire*, and *Catherine Hoskins*, now Duchess of *Devonshire*, his Wife, vested and settled in and upon *John Warner* and *John Waller*, therein named, and their Heirs; subject nevertheless to several Powers reserved to the said *William* then Duke of *Devonshire*, therein mentioned, for limiting Jointures, raising Daughters Portions, granting Rent-charges, and limiting Estates to his younger Sons; and subject to the Rent-charge of Two thousand Five hundred Pounds *per Annum*, limited and appointed for the Jointure of the most Noble *Rachel* then Duchess of *Devonshire*, since deceased; to the several Uses, Intents, and Purposes, and under and subject to the several Provisoos, Limitations, and Agreements, in the said Act of Parliament particularly mentioned and declared; that is to say, As for and concerning all those the said Manors, Rectories, Advowson, Messuages, Farms, Lands, Tenements, Hereditaments, and Premises, in the County of *Huntingdon* herein before-mentioned, and also all those Parks, Lands, Tenements, and Hereditaments, called *Sbottle* and *Postern Parks*, the *Cowhouse*, and the *Champaign*, in the *Peak*, in the County of *Derby*, to the Use of the said *William* then Marquis of *Hartington*, now Duke of *Devonshire*, during the joint Lives of him and the said *William* then Duke of *Devonshire*, his Father; and, if the said *William* now Duke of *Devonshire* should happen to die in the Lifetime of his said Father, to the Use of Trustees therein named, for the Term of Sixty Years, if the said *William* then Duke of *Devonshire* should so long live, upon Trust for raising Money for the Maintenances of the Children of the said *William* now Duke of *Devonshire*, during the Life of the said *William* late Duke of *Devonshire*; and as for and concerning all and singular the Premises therein before vested in the said *John Warner* and *John Waller* (other than and except the Premises comprised in the said Term of Sixty Years), To the Intent that the said *Catherine Hoskins* now Duchess of *Devonshire* should, after the Decease of the said *William* now Duke of *Devonshire*, have and receive, during her Life, for her Jointure, by and out of the said Premises (subject as aforesaid), One Annuity, or yearly Rent-charge, of Two thousand Five hundred Pounds, clear of all Taxes and Charges whatsoever, to be payable half-yearly, as therein is mentioned, with Powers of Distress and Entry, for better securing and recovering the same; and as for and concerning all and singular the Manors, Messuages, Lands, Tenements, and Hereditaments, therein before limited to the said *William* now Duke of *Devonshire*, during the joint Lives of him and the said *William* late Duke of *Devonshire*, his Father, as aforesaid; and also as for and concerning all and singular other the Manors, Messuages, Lands, Tenements, and Hereditaments, charged with the Payment of the said Annuity of Two thousand Five hundred Pounds to the said *Catherine Hoskins*, now Duchess of *Devonshire*, for her Jointure; and, subject thereunto, to the Use of the said *William* late Duke of *Devonshire*, for his Life, without Impeachment of Waste; and, from and after the Determination of that Estate, to the Use of the said *William* now Duke of *Devonshire*, for his Life, without Impeachment of Waste; and, from and after the Determination of the respective Estates for Life therein, of the said *William* late Duke of *Devonshire*, and *William* now Duke of *Devonshire*, to the Use of Trustees therein named, and their Heirs, during the Lives of the said *William* late Duke of *Devonshire*, and *William* now Duke of *Devonshire*, and the Life of the Survivor of them, in Trust to support and preserve the contingent Remainders therein after limited from being defeated or destroyed; and, from and after the Decease of the Survivor of them the said *William* late Duke of *Devonshire*, and *William* now Duke of *Devonshire*, to the Use of Trustees therein named, their Executors, Administrators, and Assigns, for the Term of Five hundred Years, in Trust, in the First place, for better securing the Payment of the said yearly Rent-charge of Two thousand Five hundred Pounds to the said *Catherine* now Duchess of *Devonshire*; and, subject thereunto, for raising Portions and Maintenances for Daughters and younger Sons of the said then intended Marriage,

riage, as therein is mentioned; and, immediately from and after the Determination of the said Term of Five hundred Years, and subject thereunto, to the Use of the First and every other Son of the said *William* now Duke of *Devonshire*, by the said *Catherine* now Duchess of *Devonshire*, his Wife, successively, in Tail Male, with divers Remainders over: In which said recited Act of Parliament is contained a Proviso or Power for the said *William* late Duke of *Devonshire*, and *William* now Duke of *Devonshire*, and the Survivor of them, by any Deed or Deeds, Writing or Writings, to be subscribed and sealed in the Presence of Two or more credible Witnesses, to grant, assign, limit, or appoint, to or to the Use of, or in Trust for, any younger Son or Sons of him the said *William* now Duke of *Devonshire*, on the Body of the said *Catherine* now Duchess of *Devonshire* lawfully to be begotten, for and during the natural Lives of such younger Son or Sons respectively, or for any Term or Terms of or for Years, or for any Estate or Estates of Inheritance either of or in Fee-simple or Fee-tail, either general or special (subject as aforesaid); and that either absolutely, limitably, or conditionally, and either with or without Power of Revocation or Determination of such Estate or Estates so to be limited, or any of them, any of the said Manors, Lands, Tenements, Hereditaments, and Premises, either in Possession or Reversion, expectant upon any Lease or Leases, Estate or Estates, by them the said *William* late Duke of *Devonshire*, and *William* now Duke of *Devonshire*, or either of them, theretofore made, or thereafter to be made, by virtue of any Power or Powers in or by the said Act of Parliament to them, or either of them, given or reserved, or otherwise, and any the Rents incident to any Reversion; so as the said Manors, Lands, Hereditaments, and Premises, so to be granted, assigned, limited, or appointed, to or for such younger Son or younger Sons, should not exceed, in the Whole, the yearly Sum of Two thousand Pounds:

And whereas by Indentures of Lease and Release, bearing Date respectively the Seventeenth and Eighteenth Days of *March* in the Year of our Lord One thousand Seven hundred and Forty-seven, the Release being of Six Parts, and made, or mentioned to be made, between the said *William* now Duke of *Devonshire*, and the Right Noble *William Cavendish*, Esquire, commonly called Marquis of *Hartington*, eldest Son of the said *William* now Duke of *Devonshire*, by the most Noble *Catherine* Duchess of *Devonshire*, his Wife, of the First Part; the Right Honourable *Richard* Earl of *Burlington* and *Corke*, and the Right Honourable Lady *Charlotte Boyle*, youngest and the only surviving Daughter of the said Earl of *Burlington* and *Corke*, by the Right Honourable *Dorothy* Countess of *Burlington* and *Corke*, his Wife, of the Second Part; the most Noble *John* Duke of *Rutland*, Knight of the most Noble Order of the Garter, the Right Honourable *Charles Cavendish*, Esquire, commonly called Lord *Charles Cavendish*, Brother of the said *William* now Duke of *Devonshire*, the Honourable *Richard Arundell*, of *Allerton-Maulverer*, in the County of *York*, Esquire, and *William Kent*, Esquire, since deceased, of the Third Part; the Right Honourable *Henry Pelham*, Esquire, First Lord Commissioner of his Majesty's Treasury, and Chancellor and Under-Treasurer of his Majesty's Court of Exchequer at *Westminster*, Sir *William Abdy*, of *Golden-Square*, in the County of *Middlesex*, Baronet, since deceased, *Richard Plumer*, of *Great-Marlborough Street*, in the said County of *Middlesex*, Esquire, since deceased, and *Anthony Thomas Abdy*, of *Lincoln's-Inn*, in the said County of *Middlesex*, Esquire (now Sir *Anthony Thomas Abdy*, Baronet), of the Fourth Part; the Right Honourable *James Cavendish*, Esquire, commonly called Lord *James Cavendish*, Uncle of the said *William* now Duke of *Devonshire*, since deceased, the Right Honourable *William Ponsonby*, Esquire, commonly called Lord Viscount *Duncannon*, eldest Son and Heir apparent of the Right Honourable *Brabazon* Earl of *Besborough*, in the Kingdom of *Ireland*, Sir *Clement Cottrel Dormer*, of *Rowsham*, in the County of *Oxford*, Knight, and the Honourable *Bryan Fairfax*, of the Parish of *Saint James, Westminster*, aforesaid, Esquire, since deceased, of the Fifth Part; and *Thomas Bosfo*, of *Ashborne*, in the County of *Derby*, Esquire, and *Hutton Perkins*,

kins, of *Lincoln's-Inn* aforesaid, Esquire, of the Sixth Part; being the Settlement made on the Marriage of the said *William* now Marquis of *Hartington*, with the said Lady *Charlotte Boyle*; after reciting the said Act of Parliament, and that the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, his Son, had suffered Six common Recoveries of the several Estates in the said Counties of *Huntingdon*, *York*, *Derby*, *Stafford*, *Nottingham*, and *Lancaster*, wherein the said *William* Marquis of *Hartington* was vouched; and that the said Recoveries had been declared to enure to the Use of such Person and Persons, and for such Estate and Estates, and upon such Trusts, and subject to such Powers, Provisoos, and Limitations, as they the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, should, by any Deed or Deeds, Writing or Writings, to be by both of them sealed and delivered in the Presence of Two or more Witnesses, jointly grant, convey, settle, limit, appoint, or assure the same; and also reciting, That the said *William* now Duke of *Devonshire* was seised in Fee-simple, or intitled to the Equity of Redemption, of and in divers other Lands and Hereditaments in the said County of *Derby*, which had been purchased by him of several Persons; and that he was also seised in Fee, or intitled to the Equity of Redemption of the Capital Mansion-house in the County of *Middlesex*, called *Devonshire-House*; and that a Marriage was then intended to be had between the said *William* Marquis of *Hartington* and Lady *Charlotte Boyle*; and that it was agreed, that the several Manors, Lands, and Hereditaments, in the said several Counties of *York*, *Derby*, *Stafford*, and *Nottingham*, should be settled to the several Uses therein after expressed; and that, in order to lessen the several Incumbrances affecting those Premises, it was agreed, that the several Manors, Lands, Tenements, and Hereditaments, in the said Counties of *Huntingdon* and *Lancaster*, should be vested in Trustees, with Power to sell the same, with the Consent, Concurrence, and Direction, of the said Duke, during his Life, and, after his Death, of the said Marquis; and that the Money, which should arise by any Sale or Sales thereof, should be applied for and towards Payment and Discharge of certain Debts, Incumbrances, and Sums of Money, therein mentioned to be charged upon, or affecting the same; it was witnessed, That, in Consideration of the said intended Marriage, and of the Portion or Fortune of the said Lady *Charlotte Boyle*, and other Considerations therein mentioned, the said *William* now Duke of *Devonshire* and *William* Marquis of *Hartington*, in pursuance of the Power vested in them in that behalf, did grant, settle, limit, and appoint, the said Capital Messuage, or Mansion-house, commonly called *Devonshire-House*, in the said County of *Middlesex*, and all and every the Manors or Lordships, Messuages, Advowsons, Rectories, Lands, Tenements, Rents, Rents of Assize, Tythes, and Hereditaments whatsoever, of them the said *William* now Duke of *Devonshire* and *William* Marquis of *Hartington*, or either of them, in the several Counties of *York*, *Derby*, *Stafford*, and *Nottingham*, or any of them, therein particularly mentioned and described, with their and every of their respective Rights, Royalties, Members, and Appurtenances, to the several Uses, and for the several Intents and Purposes, upon the Trusts, and subject to the several Powers, Provisoos, and Agreements, therein and herein after-mentioned, expressed, and declared, of and concerning the same; that is to say, As for and concerning all those the Manors or Lordships of *Chatsworth*, *Ashford*, *Brushfield*, *Aldwarke*, *Winster*, *Blackwell*, alias *Blackwall*, *Dore*, *Hatbursage*, *Beely Meadow*, *Pleck*, *Conxbury*, *Yolgrave*, *Little Longston*, alias *Longsden*, *Heath*, *Stainsby*, alias *Stenesby*, *Hardwicke*, *Rowtborne*, *Longwelsh*, alias *Langwelsh*, *Basset*, *Houghton Felly*, *Houghton Basset*, and *Edensore*, in the said County of *Derby*, with their and every of their Rights, Royalties, Members, and Appurtenances whatsoever; and all those Lands, Tythes, Tenths, Tenements, and Hereditaments, of them the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, or either of them, therein before-mentioned, situate, lying, and being, in *Brushfield*, *Aldwarke*, *Winster*, and *Palterton*, or any of them, in the said County of *Derby*; and all that the Rectory or Parsonage Impropriate

propriate of *Blackwell*, alias *Blackwall*, with the Glebe-lands, Tythes, Oblations, Obventions, Profits, and Appurtenances, to the said Rectory and Parsonage belonging, and the Advowson of the Parish-Church of *Blackwell* afore said; and all those the Rectories, Parsonages, Glebe-lands, Tenths, and Tythes, of and in *Yolgrave*, *Hatbersage*, alias *Hatbersedge*, in the said County of *Derby*, and the Advowsons of the Vicarages of the Churches of *Yolgrave*, *Dawbridge*, alias *Dowbridge*, and *Hatbersage* afore said; and all those the Manors of *Wetton* and *Butterton*, in the said County of *Stafford*, with their and every of their Rights, Royalties, Members, and Appurtenances; and all Messuages, Mills, Lands, Tenements, Tythes, and Hereditaments, of the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, or either of them, situate, lying, and being, growing, renewing, increasing, or coming, in the Towns, Parishes, Fields, Precincts, or Territories of *Wetton*, *Butterton*, *Castorne*, and *Matbeseid*, or any of them, in the said County of *Stafford*; and all that the Park called *Hardwicke Park*, with the Appurtenances, in the said County of *Nottingham*; and also all that the Rectory and Parsonage of *Sutton* in *Ashfield*, in the said County of *Nottingham*, with the Appurtenances; and all other the Lands, Tenements, and Hereditaments, of them the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, or either of them, in *Sutton* in *Ashfield*, and *Hucknall*, alias *Dirty Hucknall*, or either of them, in the said County of *Nottingham*; and all that the Capital Messuage or Mansion-house, called *Chatsworth*, in the said County of *Derby*, with the Appurtenances; and all that Park called *Chatsworth Park*; and all that the Rectory, Parsonage Appropriate, and Tythes, of and in *Edensore*, with all and singular the Rights, Members, and Appurtenances thereof, in the said County of *Derby*; and all those the Advowsons, Donations, Presentations, Dispositions, Gifts, and Rights of Patronage, of, in, and to the Churches and Rectories of *Langwith*, *Heath*, *South-Wingfield*, and *Ulgarthorpe*, and the Vicarages of the Churches of *Marson*, alias *Marston juxta Tutbury*, *Bradborne*, *Hucknall*, and *Scarcliffe*, in the said County of *Derby*; and all that Farm, and all the Lands, Tenements, and Hereditaments, commonly called or known by the Name of *Coddington-Farm*, with the Appurtenances, in the said County of *Derby*; and all and singular other the Manors, Lordships, Rectories, Granges, Messuages, Mills, Lands, Tenements, Rents, Tythes, and Hereditaments whatsoever, of them the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, or either of them, situate, lying, being, arising, coming, growing, or renewing, within the Towns, Parishes, Villages, Hamlets, Places, Fields, Precincts, or Territories, of *Chatsworth*, *Ashford*, *Meadow*, *Pleck*, *Conxbury*, *Yolgrave*, *Bonsal*, *Beeley*, *Edensore*, *Calton*, *Lees*, *Pilsley*, *Hanley*, *Oneash*, *Callingslowe*, alias *Callingleoe*, *Falcliffe*, alias *Fawcliffe*, *Birchills*, *Little Longstone*, alias *Little Longesden*, *Mornesdale*, alias *Morneshalldale*, *Brushfield*, alias *Birchfield*, alias *Brightrichfield*, *Great Longston*, alias *Great Langsden*, *Sheldon*, *Wardlowe*, *Heath*, *Steynibby*, alias *Steneby*, *Eastwick*, alias *Eastwood*, alias *Astwith*, *Harstoft*, *Hucknall*, *Tibshelf*, *Little Hallam*, *Hasland*, *Caloe*, *Wingerworth*, *Brimington*, *Biggin*, *Hardwicke*, *Noriborpe*, *Glaxwell*, *Rowthorne*, *Langweith-Basset*, *Haughton-Basset*, *Haughton-Felly*, *Skirbrooke*, *Chesterfield*, *Moorhall*, *Whittington*, *Unibanke*, *Dore*, *Edale*, *Hatbersage*, *Mickleover*, *Blackwell*, alias *Blackwall*, *Hilecot*, *Newton*, *Baslow*, *Beely*, *Castleton*, *Brentfield*, *Dronfield*, *Darwent*, and *Outseats*, or any of them, in the said County of *Derby*, with their and every of their Appurtenances, being, in the Whole, of the yearly Value of Eight thousand Pounds, and upwards; To the Intent that several annual Rents, or yearly Sums, therein mentioned, should be had and received for the separate Use of the said Lady *Charlotte*, during her Coverture, and for the immediate Maintenance of the said *William* Marquis of *Hartington*, during the joint Lives of him, and the said *William* now Duke of *Devonshire*, and for the Jointure of the said Lady *Charlotte*, in case she should survive the said Marquis; and, subject thereto, to the Use of the said *Henry Pelham*, *Richard Plumer*, *Sir William Abdy*, and *Sir Anthony Thomas Abdy*, their Executors, Administrators, and Assigns, for the Term of Two hundred Years, upon Trust for better securing and recovering the said annual Rents, or yearly Sums, respectively; and as for and concerning the said last-mentioned Premises so comprised

in the said Term of Two hundred Years, as aforesaid; and all other the Manors, Lands, and Hereditaments, thereby settled and assured, to the Use of the said *William* now Duke of *Devonshire*, for his Life, without Impeachment of Waste; Remainder to Trustees therein named, and their Heirs, during the Life of the said *William* now Duke of *Devonshire*, in Trust to support and preserve the contingent Remainders; and, from and after the Decease of the said *William* now Duke of *Devonshire*, then as to all and every the said Manors, Lands, and Hereditaments, in the said County of *York*, with their and every of their Appurtenances, to the Use of the said Lord *Charles Cavendish*, and *Richard Plumer*, their Executors, Administrators, and Assigns, for the Term of Three hundred Years, upon Trust, by the Ways and Means therein mentioned, to raise such Sum or Sums of Money, not exceeding, in the Whole, the Sum of Ten thousand Pounds, as the said *William* now Duke of *Devonshire* should direct; and as for and concerning the said Premises in the County of *York*, and all other the Manors, Lands, and Hereditaments, thereby settled and assured, from and immediately after the Death of the said *William* now Duke of *Devonshire*, to the Use of the said *William* Marquis of *Hartington*, for his Life, without Impeachment of Waste; Remainder to Trustees, and their Heirs, during the Life of the said Marquis, in Trust to support the contingent Remainders; and from and after the Decease of the said *William* Marquis of *Hartington*, then as for and concerning the said Manors, Lands, and Hereditaments, comprised in the said Term of Two hundred Years; and also as for and concerning divers other Manors, Lands, and Hereditaments, in the County of *Derby*, Part of the Premises thereby settled and assured, and therein mentioned to be of the yearly Value of Three thousand Pounds, or thereabouts, to the Use of Trustees therein named, their Executors, Administrators, and Assigns, for the Term of Six hundred Years, in Trust for raising Portions and Maintenances for the Daughters and younger Sons of the said *William* Marquis of *Hartington*, by the said Lady *Charlotte Boyle*, as therein is mentioned; and as for and concerning the Premises comprised in the said Term of Six hundred Years, from and after the Determination of the said Term; and also all other the Manors, Lands, and Hereditaments, thereby settled and assured, immediately after the Determination of the several Uses thereby limited thereof respectively, to the Use of the First and every other Son of the said *William* Marquis of *Hartington*, by the said Lady *Charlotte Boyle*, successively in Tail Male; and, in Default of such Issue, then as for and concerning the Premises in the County of *Derby*, comprised in the said Term of Six hundred Years, and also the Premises in the County of *Stafford*, therein mentioned to be, in the Whole, of the yearly Value of Four thousand Pounds, and upwards, to the Use of Trustees therein named, their Executors, Administrators, and Assigns, for the Term of One thousand Two hundred Years, in Trust for raising Portions and Maintenances for Daughters of the said *William* Marquis of *Hartington*, by the said Lady *Charlotte Boyle*, in case of no Son by her, as therein is mentioned; and as for and concerning the Premises comprised in the said Term of One thousand Two hundred Years, from and after the Determination of the same Term, and also all other the Premises thereby settled and assured, immediately after the Determination of the several Uses thereby limited thereof respectively, to the Use of the First, and all and every other the Sons of the said *William* Marquis of *Hartington*, by any other Wife, successively, in Tail Male; Remainder to the Use of *George Augustus Cavendish*, Esquire, commonly called Lord *George Augustus Cavendish*, *Frederick Cavendish*, Esquire, commonly called Lord *Frederick Cavendish*, and *John Cavendish*, Esquire, commonly called Lord *John Cavendish*, the Three younger Sons of the said *William* now Duke of *Devonshire*, successively, for their respective Lives, and their respective First and other Sons, successively, in Tail Male; Remainder to the Use of all and every other the Son and Sons of the said *William* now Duke of *Devonshire*, successively, in Tail Male; Remainder to the Use of the said Lord *Charles Cavendish*, for his Life, without Impeachment of Waste; Remainder to Trustees, and their Heirs, during the Life of the said Lord *Charles Cavendish*, in Trust to preserve the contingent Remainders; and, from and after the Decease of the said Lord *Charles Cavendish*, to the Use of *Henry Cavendish* and *Frederick Cavendish*,

Cavendish, Sons of the said Lord *Charles Cavendish*, successively, for their respective Lives, and to their First and other Sons respectively, in Tail Male, successively; and, in Default of such Issue, to the Use of all and every other the Son and Sons of the said Lord *Charles Cavendish*, in Tail Male, successively; and, in Default of such Issue, to the Use of the said *William Marquis of Hartington*, his Heirs, and Assigns for ever: In which last-mentioned Settlement is contained a Power for the said *William* now Duke of *Devonshire*, by any Deed or Deeds, Writing or Writings, to be by him sealed and delivered in the Presence of Two or more credible Witnesses, to grant, assign, limit, or appoint, unto or to the Use of, or in Trust for, any younger Son or Sons of him the said *William* now Duke of *Devonshire*, on the Body of the said *Catherine* Dutchess of *Devonshire*, or any after-taken Wife, begotten or to be begotten, for and during the natural Life and Lives of such younger Son or Sons respectively, or for any Term or Terms of or for Years, or for any Estate or Estates of Inheritance, either of or in Fee-simple, or Fee-tail, either general or special, and that either absolutely, limitably, or conditionally, and either with or without Power of Revocation or Determination of such Estate or Estates so to be limited, or any of them, at the free Will and Pleasure of the said *William* now Duke of *Devonshire*, any of the said Manors, Lands, Tenements, Hereditaments, and Premises, either in Possession or Reversion, expectant upon any Lease or Leases, Estate or Estates, by the said *William* now Duke of *Devonshire*, and *William Marquis of Hartington*, or either of them, theretofore made, or thereafter to be made, by virtue of any Power or Powers theretofore to them, or either of them, reserved, or therein or thereby to them, or either of them, given or reserved, or otherwise, and any the Rents incident to any Reversion; so as the said Manors, Lands, Hereditaments, and Premises, so to be, by virtue of the said Power, granted, assigned, limited, or appointed, by the said *William* now Duke of *Devonshire*, to or for such younger Son or younger Sons, did not exceed, in the Whole, the yearly Sum of Two thousand Pounds; and so as every such Grant, Assignment, Limitation, or Appointment, be subject, and without Prejudice, to the Annuities for the separate Use of Lady *Charlotte*, and for the Maintenance of the said Marquis of *Hartington*, and for the Jointure of the said Lady *Charlotte*, and to the Trusts of the said Term of Two hundred Years; and also a Power for the said Duke, during his Life, and for the Marquis, when in Possession, to make Leases of any Part of the Premises, not exceeding Twenty-one Years, at the improved Rents, without taking for a Fine above One Year's Value:

And whereas by Indenture Tripartite, bearing Date on or about the said Eighteenth Day of *March* in the said Year of our Lord One thousand Seven hundred and Forty-seven, and made, or mentioned to be made, between the said *William* now Duke of *Devonshire*, of the First Part; the said *William Marquis of Hartington*, of the Second Part; and the said Lord *Charles Cavendish*, *Richard Arundell*, and *Richard Plumer*, of the Third Part; they the said *William* now Duke of *Devonshire*, and *William Marquis of Hartington*, for declaring the Uses of the several Recoveries, so suffered by the said Duke and Marquis, of the several Manors, Lands, and Hereditaments, in the Counties of *Huntingdon* and *Lancaster*, did, in pursuance of the Powers vested in, and enabling them, in that behalf, grant, settle, limit, and appoint, all those the Manors or Lordships of *Moynes-Sawtre*, *Sawtre-Moynes*, *Sawtre-Ivett*, and *Sawtre-Monachorum*, with the Rights, Members, and Appurtenances thereof, in the County of *Huntingdon*; and all that the Site of the late-dissolved Monastery of *Sawtre*, with the Appurtenances; and all that the Grange, called *Sawtre-Grange*, otherwise *Old-Grange*, with the Appurtenances; and all those the Rectories of *Sawtre-Ivett*, and *Sawtre-Moynes*, with the Appurtenances; and all that the Advowson of the Vicarage of *Sawtre-Ivett*; and all other the Lands, Tenements, Rents, Reversions, Services, and Hereditaments whatsoever, of them the said *William* now Duke of *Devonshire*, and *William Marquis of Hartington*, or either of them, or whereof or wherein they, or either of them, then had any Estate of Freehold or Inheritance, in Possession, Reversion, Remainder, or Expectancy, situate, lying, or being, within the Manors, Lordships,

ship, Parishes, Hamlets, or Fields, of *Moynes-Sawtrej*, *Sawtrej-Iwell*, *Sawtrej-Beames*, *Sawtrej-Monachorum*, *Sawtrej-Moynes*, *Cunnington*, and *Coppingford*, or any of them, in the County of *Huntingdon*, or elsewhere, in the said County of *Huntingdon*; and all those the Manors of *Brindle* and *Inskipp*, in the County of *Lancaster*, with their and every of their Rights, Members, and Appurtenances, and all Messuages, Lands, Tenements, and Hereditaments, of them the said *William* now Duke of *Devonshire*, and *William* Marquis of *Hartington*, or either of them, situate, lying, or being, in the Towns, Parishes, Fields, Precincts, or Territories, of *Brindle* and *Inskipp*, in the said County of *Lancaster*, or either of them, unto the said Lord *Charles Cavendish*, *Richard Arundell*, and *Richard Plumer*, to the Uses, and upon the Trusts, therein after-mentioned; that is to say, To the Use of the said *William* now Duke of *Devonshire*, for his Life, without Impeachment of Waste; and, after the Determination of that Estate, to the Use of the said *William* Marquis of *Hartington*, for his Life, without Impeachment of Waste; and, after the Determination of that Estate, to the Use of the said Lord *Charles Cavendish*, *Richard Arundell*, and *Richard Plumer*, and their Heirs, upon Trust nevertheless, that they the said Lord *Charles Cavendish*, *Richard Arundell*, and *Richard Plumer*, and the Survivors and Survivor of them, and the Heirs of such Survivor, should, either in the Life-times of them the said *William* Duke of *Devonshire* and *William* Marquis of *Hartington*, or of the Survivor of them, or after their several Deceases, but by and with the Consent, Direction, and Concurrence, of the said *William* Duke of *Devonshire*, and *William* Marquis of *Hartington*, or of the Survivor of them, if they, or either of them, should be living, and, after their Deceases, with the Direction, Consent, and Concurrence, of the Heir Male of the Body of the said Duke, if such Heir Male should then be of the Age of Twenty-one Years, and, in case such Heir Male should then be under that Age, of his Guardian or Guardians, for the Time being, sell and dispose of the Inheritance in Fee-simple of the said Manors, Messuages, Lands, Tenements, Hereditaments, and Premises, therein before-mentioned to be thereby granted, released, limited, and appointed, either intirely, or in Parcels, unto any Person or Persons who should be willing to purchase the same, or any Part or Parts thereof respectively, for the most Money, and best Price and Prices, that could be reasonably had or gotten for the same; so as in case the said Premises should be sold in the Life-time of the said *William* Duke of *Devonshire*, and *William* Marquis of *Hartington*, or the Survivor of them, they the said *William* Duke of *Devonshire*, and *William* Marquis of *Hartington*, or the Survivor of them, should join in such Sale and Sales, for and in respect of his and their respective Estate and Interest in the said Premises; and also upon Trust, that they the said Trustees, and the Survivors and Survivor of them, and the Heirs of such Survivor, should apply and dispose of the Money arising by such Sale or Sales, in Manner and for the Purposes following; that is to say, in the First place, for paying and defraying the Costs and Expences of the said Trustees for the Time being, and afterwards for and towards paying, discharging, and satisfying, all and every the said several Debts, Incumbrances, and Sums of Money, mentioned and specified in the Schedule thereto annext (being the same Debts, Incumbrances, and Sums of Money, mentioned, and referred to, in and by the Marriage-Settlement of the said Marquis of *Hartington*), or such and so many of them as should then remain due and unsatisfied, in such Manner and Proportions, either in Part, or in full, and to such of the Creditors therein named, in such Priority and Order as the said *William* Duke of *Devonshire*, in case the same should be sold in his Life-time, and, after his Decease, as the said *William* Marquis of *Hartington*, in case the same should be sold in his Life-time, should, by Writing under their or his Hands or Hand, from time to time, order, direct, or appoint; and after the Deaths of the Survivor of them the said *William* Duke of *Devonshire*, and *William* Marquis of *Hartington*, as the said Trustees, and the Survivors and Survivor of them, and the Heirs and Assigns of such Survivor, should, in their Discretions, think proper and requisite; and

and also should pay, apply, and dispose of, the Residue or Surplus of the Money arising by such Sale or Sales, which should remain after Payment of the several Debts, Incumbrances, and Sums of Money, Charges, and Expences, therein before directed to be issued and applied thereout (if there should be any such Surplus), to the said *William Duke of Devonshire*, his Executors, Administrators, and Assigns, to and for his and their own Use and Benefit: In which Indenture Tripartite is also a Power for the Duke and Marquis to makes Leases of any Part of the said Premises in the County of *Huntingdon*, not exceeding Twenty-one Years, at the improved Rents, without taking for a Fine above One Year's Value:

And whereas the said Marriage between the said *William Marquis of Hartington* and Lady *Charlotte Boyle* soon after took Effect, and was solemnized; and at the Time of the said Marriage it was the Intention of the said *William Duke of Devonshire* to sell the said Estate in the County of *Huntingdon*, as well as the *Lancashire* Estate; but the said *William Duke of Devonshire* has since, upon due Consideration had of the Condition and Circumstances of the said Estate in the County of *Huntingdon*, been satisfied and convinced, that it will be more convenient and beneficial for his Family, that the said Estate should not be sold; and that the Power, reserved to the said *William Duke of Devonshire*, by the said Settlement on his said Son's Marriage, to limit or appoint Estates for his younger Sons (and which Power did originally affect, and might be exercised as well upon the said *Huntingdonshire* Estate, as upon any other of the Estates comprised in the same Settlement), should be executed by the said *William Duke of Devonshire* upon or out of the said *Huntingdonshire* Estate, or such Part thereof as he should think proper and requisite for that Purpose, in Ease of the rest of the Estates comprised in that Settlement; and the said *William Duke of Devonshire* doth propose, that so much of the *Huntingdonshire* Estate, as shall not be limited or appointed by him unto or for the Benefit of his younger Sons, or any of them and also, all such Estate and Interest, in any Part of the Premises in the said County of *Huntingdon*, as shall or may remain undisposed of by any such Limitation or Limitations, Appointment or Appointments, by the said Duke, by virtue and in pursuance of the Power intended to be re-established and vested in him by this present Act, shall be settled for the Benefit of the Heir Male of the Family, and for other the Uses and Purposes declared of the other Estates of the said Duke in and by the said Marriage-Settlement; and the said Marquis of *Hartington*, who is the principal Person interested in the said several Estates, being satisfied of the Reasonableness of the said Proposal, and that the Incumbrances and Sums of Money, directed to be discharged out of the Money arising by Sale of the said *Huntingdonshire* Estate, were not only originally secured, but are also sufficiently provided for, by and out of the rest of the Estates comprised in his Marriage-Settlement, doth consent and desire, that the said Power to provide for the younger Sons of the said Duke should be exercised upon the *Huntingdonshire* Estate, or any Part thereof; But Doubts having been made whether the said Power, with respect to the said Estate, is not extinguished, or taken away, by the Means or Effect of the said Marriage-Settlement, and the Conveyance of the same Estate to Trustees to be sold in the manner before-mentioned, the said Proposal and Desire of the Parties cannot be effectually carried into Execution without the Aid and Authority of an Act of Parliament:

Wherefore Your Majesty's most dutiful and loyal Subjects, the said *William Duke of Devonshire*, and *William Marquis of Hartington*,

Do most humbly beseech Your **M A J E S T Y**,

That it may be Enacted; And be it Enacted, by the **K I N G**'s most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Manors or Lordships of *Moynes-Sawtre*, *Sawtre-Moynes*, *Sawtre-Iwell*, and *Sawtre-Monachorum*, in the said County of *Huntingdon*; and the Site of the late-dissolved Monastery of *Sawtre*, and the Grange called *Sawtre-Grange*, otherwise *Old-Grange*; and all those the Rectories of *Saw-*

trey-

trety-Iwell and *Sawtrety-Moynes*, and the Advowson of the Vicarage of *Sawtrety-Iwell*; and all other the Lands, Tenements, Rents, Reversions, Services, and Hereditaments whatsoever, situate, lying, or being, within the Manors, Lordships, Parishes, Hamlets, or Fields, of *Moynes-Sawtrety*, *Sawtrety-Iwell*, *Sawtrety-Beames*, *Sawtrety-Monachorum*, *Sawtrety-Moynes*, *Cunnington*, and *Coppingsford*, or any of them, in the County of *Huntingdon*, or elsewhere in the said County of *Huntingdon*, which, in and by the said recited Indenture Tripartite of the Eighteenth Day of *March* One thousand Seven hundred and Forty-seven, were settled and assured, or mentioned or intended to be settled and assured, by the said *William Duke of Devonshire*, and *William Marquis of Hartington*, to the several Uses, upon the Trusts; and for the Purposes, therein mentioned, with their and every of their Rights, Royalties, Members, and Appurtenances, and the Reversion and Reversions, Remainder and Remainders, Rents, Issues, and Profits of the same Premises; shall, from and after the Twenty-fifth Day of *March* One thousand Seven hundred and Fifty-two, be settled upon, and vested in, and the same are from thenceforth hereby settled upon, and vested in, the said *William Lord Viscount Duncannon*, and *Richard Arundell*, their Heirs and Assigns, freed and discharged, and absolutely acquitted, exempted, exonerated, and disincumbered, of, from, and against, all and every the Use, Estates, Trusts, and Limitations, in and by the said Indenture Tripartite limited, created, expressed, provided, and declared, of and concerning the same.

and it is hereby Enacted and Declared, That the said *William Lord Viscount Duncannon* & *Rich. Arundell* and the Survivor of them, and the Heirs of such Survivor, shall stand and be seised of and in the said Manors or Lordships, Site, Grange, Rectories, Lands, Tenements, Hereditaments, and Premises, in the County of *Huntingdon*, so mentioned to be vested and settled by this present Act, with their and every of their Rights, Royalties, Members, and Appurtenances; and that the said common Recovery, so mentioned to be had and suffered thereof, as aforesaid, shall be and enure to, for, and upon the several Uses, Estates, Trusts, and Limitations, in and by the said Indenture of Six Parts, or Marriage-Settlement, dated the Eighteenth Day of *March* One thousand Seven hundred and Forty-seven, limited, created, and declared, of and concerning the Manors, Lands, Tenements, Hereditaments, and Premises, in the Counties of *Derby*, *Stafford*, and *Nottingham*, therein mentioned to be, in the Whole, of the yearly Value of Eight thousand Pounds, and upwards, or such and so many of the said Uses, Estates, Trusts, and Limitations, as, at the time of passing this present Act, shall be existing undetermined, or capable of taking Effect; but subject always to the Power for the said *William Duke of Devonshire* to make such Provisions for his younger Sons, by the said *Katherine Duchess of Devonshire*, or any after taken Wife, by such Ways and Means, and in such Manner, as in the same Settlement, and this present Act, is, in that behalf, mentioned, provided, expressed, and declared; and with such Power or Privilege for the said *William Duke of Devonshire*, and *William Marquis of Hartington*, and the other Tenants for Life, in Remainder, intituled, under the said Marriage-Settlement, to commit Waste, as they respectively are intituled to, or ought to have, use, or enjoy, by force or virtue of the Limitations of the same Settlement.

And it is hereby also Enacted, Provided, and Declared, That it shall and may be lawful to and for the said *William Duke of Devonshire*, at any time or times hereafter, by any Deed or Deeds, Writing or Writings, to be by him sealed and delivered in the Presence of Two or more credible Witnesses, to grant, assign, limit, or appoint, unto, or to the Use of, or in Trust for, any younger Son or Sons of him the said Duke, on the Body of the said *Catherine Duchess of Devonshire*, or any after-taken Wife, begotten or to be begotten respectively, for and during the natural Life or Lives of such younger Son or Sons respectively, or for any Term or Terms of or for Years, or for any Estate or Estates of Inheritance either of or in Fee-simple or Fee-tail, either General or Special; and that either absolutely, limitably, or conditionally, and either with or without Power of Revocation or Determination of such Estate or Estates so to be limited, or any of them, and Limitation of new, or other Use or Uses, Estate or Estates, Trust

or Trusts, of and concerning the same respectively, for the Benefit of any such younger Son or Sons, as aforesaid, at the free Will and Pleasure of the said *William Duke of Devonshire*; all or any Part or Parts of the Manors or Lordships, Messuages, Farms, Rectories, Lands, Tenements, Hereditaments, and Premises, in the County of *Huntingdon*, either in Possession or Reversion, expectant on any Lease or Leases, Estate or Estates, made or to be made by the said *William Duke of Devonshire*, by virtue of any Power given or reserved to him in and by the said Indenture Tripartite of the Eighteenth Day of *March* One thousand Seven hundred and Forty-seven, and this present Act respectively, in that behalf, and any the Rents incident to any Reversion; so as the Manors, Lands, Tenements, Hereditaments, and Premises, so to be granted, assigned, limited, or appointed, by the said *William Duke of Devonshire*, by virtue or in pursuance of this present Power, unto or for such younger Son or Sons, do not, together with such other Manors, Lands, Tenements, or Hereditaments, as shall be by him granted, assigned, limited, or appointed, unto or for any of his younger Sons, by virtue and in pursuance of the like Power contained in the said Indenture of Six Parts, or Marriage-Settlement, dated the Eighteenth Day of *March* One thousand Seven hundred and Forty-seven, exceed, in the Whole, the yearly Sum of Two thousand Pounds.

Provided always, and it is hereby further Enacted and Declared, That it shall and may be lawful to and for the said *William Duke of Devonshire*, and also to and for the said *William Marquis of Hartington*, when and as he shall be in the Possession of the Premises in the County of *Huntingdon*, or any Part thereof, by virtue of, or under the Limitations of this present Act, by Indenture or Indentures, under their respective Hands and Seals, to demise or lease all, or any Part or Parts, of the same Premises, whereof they shall respectively be in Possession, unto any Person or Persons, for any Term or Number of Years, not exceeding Twenty-one Years, to take Effect in Possession, and not in Reversion; so as, upon every such Demise or Lease, there be reserved, to continue payable half-yearly, during the Continuance of the same Lease, the best and most improved yearly Rent that can be had or gotten for the same, without taking for a Fine or Income, above One Year's Value, of, or for the same Lands and Premises so to be letten; and so as, in every such Lease or Demise, so to be made or granted, there be contained a Condition of Re-entry for Non-payment of the Rent or Rents thereby to be reserved; and so as no Clause be contained in any such Lease, giving Power to any Lessee to commit Waste, or exempting him, her, or them, from Punishment for committing the same; and so as the respective Lessees execute Counterparts of all such Leases.

Saving always to the KING's Most Excellent MAJESTY, his Heirs and Successors, and to all and every other Person and Persons, Bodies Politick and Corporate, his, her, and their Heirs, Successors, and Administrators (Other than the said *William Duke of Devonshire*, and *Catherine Dutcheß of Devonshire* his Wife, and the said *William Marquis of Hartington*, and *Charlotte Marchioness of Hartington* his Wife, and the Sons of the said Duke and Marquis respectively, and the Heirs Male of the Body of such Sons, and the Heirs, Executors, Administrators, and Assigns of the said Duke, and all and every Person or Persons, having, claiming, or to claim, any Estate, Use, Trust, Interest, Benefit, or Advantage, of, in, to, or out of, the Premises in the County of *Huntingdon*, or any Part thereof, either by force or virtue of, or under the said Indenture Tripartite, or Deed of Trust, of the Eighteenth Day of *March* One thousand Seven hundred and Forty-seven, or the said Marriage-Settlement of the same Date, or the Provisions, Declarations, or Agreements, therein respectively mentioned, expressed, and contained, every or any of them), All such Estate, Right, Title, Interest, Claims, and Demands, of, in, to, or out of, the said Premises, in the County of *Huntingdon*, vested and settled by this Act, as they, every or any of them, had, or should, or might, or ought to have had or enjoyed, in case this Act had not been made.

